

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR NO. 05-00260 JMS
)	
v.)	DECLARATION OF COUNSEL
)	
JAMES LOW (1),)	
)	
Defendant.)	
)	
)	
_____)	

DECLARATION OF COUNSEL

I, MICHAEL J. PARK, state under penalty of perjury of law that the following is true and correct:

1. I, along with Matt Horn are co-counsel representing Defendant James Low in this matter.
2. That prior January 24, 2006, ASUA Mark Inciong and co-counsel stipulated and agreed to continue trial from February 22, 2006 to May 2, 2006 pending approval of the Court pursuant to the Speedy Trial Act, 18 U.S.C. Sec. 3161.
3. That Defendant James Low's fiancé is ill and needs assistance and she is currently residing with Mr. Low's mother, who is providing some care and comfort.

4. That Defendant Low requests pretrial release to assist in the care and support of his fiancé.
5. That Defendant Low wants the opportunity to demonstrate and establish his ability to refrain from any use and possession of illicit drugs by entering into a substance abuse treatment program as deemed necessary based on a court approved assessment. (i.e. release to enter into Hina Mauka, or Salvation Army, ATS drug treatment program on Oahu, if deemed necessary.)
6. That Defendant Low was found not be a flight risk at his prior detention hearing.
7. That this incentive to prepare for return into community as a responsible adult will compel Defendant to be compliant with all laws and thereby reasonably assure the safety of the community.
8. That Defendant's mother is a viable third party custodian and she is willing to co-sign a note or provide a bond.
9. Defendant respectfully requests that this court conduct a detention hearing to reconsider Defendant's release status.

I DECLARE UNDER PENALTY OF LAW THAT THE FORGOING IS
TRUE AND CORRECT.

DATED: Honolulu, Hawaii, January 24, 2006.

/s/MICHAEL J. PARK